

**ORDINANCE NO. 1127-05-17**

**AN ORDINANCE OF THE CITY OF HONDO AMENDING THE HONDO ZONING ORDINANCE AND ZONING DISTRICT MAP BY REZONING 25 FEET OF EAST SIDE OF LOT 3 AND ALL OF LOT 4, BLOCK 1, W.J. NESTER ADDITION, LOCATED AT 601 30<sup>TH</sup> STREET, CITY OF HONDO, TEXAS FROM RESIDENTIAL 2 ("R2") DISTRICT TO COMMERCIAL ("C") DISTRICT; DECLARING COMPLIANCE WITH MUNICIPAL ZONING REGULATIONS, STATE LAW, PUBLIC NOTICE AND HEARING REQUIREMENTS, INCORPORATING RECITALS; PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Hondo as a subdivision of the State of Texas has the authority to pass law and the laws of the City are passed by Ordinance; and

**WHEREAS**, the Texas Local Government Code 211, subchapter A authorizes a city to establish zoning regulations for the purpose of promoting public health, safety, morals, or general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance; and

**WHEREAS**, the Texas Local Government Code 211.006 establishes procedures to for cities to amend zoning regulations and zoning district boundaries; and

**WHEREAS**, Sec. 25.2007 of the Code of Ordinance for the City of Hondo provides for amendments and changes to zoning regulations and zoning district boundaries; and

**WHEREAS**, Medina County Hospital District owns the tract located at 601 30<sup>th</sup> Street, City of Hondo, Medina County, Texas; and

**WHEREAS**, the City of Hondo Planning and Zoning Commission considered the application to rezone the Property at its meeting on May 15, 2017, and has recommended approval; and

**WHEREAS**, after due deliberation and consideration of the information submitted during the public hearings and the recommendation of the Planning and Zoning Commission, the City Council has concluded that approval of the applicant's requested zone from Residential 2 ("R2") District to Commercial ("C") District for the Property would be in the best interest of the citizens of City of Hondo.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HONDO, TEXAS THAT:**

**SECTION 1. REZONE AND AMENDMENT TO ZONING DISTRICT MAP.** The Zoning Ordinance and Zoning District Map of the City of Hondo, Texas, be hereby amended to reflect a

zone change from Residential 2 ("R2") District to Commercial ("C") District for the following real property:

A 12,980 s.f. tract being 25 ft. off the east side of Lot 3 and all of Lot 4, Block 1, W.J. Nester Addition to the City of Hondo, according to Map/Plat recorded at Vol. 1, Page 88, Plat Records, Medina County, Texas, said tract being more particularly described in the survey attached as **EXHIBIT "A"**.

**SECTION 2.** All other provisions of the Zoning Ordinance and Zoning District Map, except those expressly amended by this ordinance, shall remain in full force and effect.

**SECTION 3. DECLARATION OF COMPLIANCE.** The City Council finds that all required public notices for the rezoning of the Property have been published and the public hearings as required by Municipal Code of Ordinances and state law have been held to consider the application to amend the zoning district boundary.

**SECTION 4. INCORPORATION OF RECITALS.** The City Council finds the recitals in the preamble of this Ordinance are true and correct and incorporates them as findings of fact.

**SECTION 5. SEVERABILITY.** Should any word, sentence, clause, paragraph, or provision of this ordinance be held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part or provision so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of the Zoning Ordinance, the Zoning District Map, or any other provision of the City's Code of Ordinances.

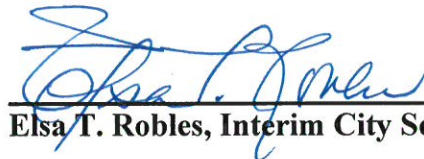
**SECTION 6. EFFECTIVE DATE.** This ordinance shall become effective upon the adoption of this ordinance.

**PASSED AND APPROVED, THIS 22<sup>ND</sup> DAY OF MAY, 2017.**



**JAMES W. DANNER, SR., MAYOR**

**ATTEST:**



**Elsa T. Robles, Interim City Secretary**



# **EXHIBIT "A"** **DESCRIPTION OF 12,980 S.F. TRACT**

